



Filed: 3/23/2006

09400SB1827ham001

LRB094 11389 RAS 56264 a

1 AMENDMENT TO SENATE BILL 1827

2 AMENDMENT NO. _____. Amend Senate Bill 1827 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Local Government Energy Conservation Act is
5 amended by changing Section 5 as follows:

6 (50 ILCS 515/5)

7 Sec. 5. Definitions. As used in this Act, unless the
8 context clearly requires otherwise:

9 "Energy conservation measure" means any improvement,
10 repair, alteration, or betterment of any building or facility
11 owned or operated by a unit of local government or any
12 equipment, fixture, or furnishing to be added to or used in any
13 such building or facility that is designed to reduce energy
14 consumption or operating costs, and may include, without
15 limitation, one or more of the following:

16 (1) Insulation of the building structure or systems
17 within the building.

18 (2) Storm windows or doors, caulking or
19 weatherstripping, multiglazed windows or doors, heat
20 absorbing or heat reflective glazed and coated window or
21 door systems, additional glazing, reductions in glass
22 area, or other window and door system modifications that
23 reduce energy consumption.

24 (3) Automated or computerized energy control systems.

1 (4) Heating, ventilating, or air conditioning system
2 modifications or replacements.

3 (5) Replacement or modification of lighting fixtures
4 to increase the energy efficiency of the lighting system
5 without increasing the overall illumination of a facility,
6 unless an increase in illumination is necessary to conform
7 to the applicable State or local building code for the
8 lighting system after the proposed modifications are made.

9 (6) Energy recovery systems.

10 (7) Energy conservation measures that provide
11 long-term operating cost reductions.

12 "Guaranteed energy savings contract" means a contract for:
13 (i) the implementation of an energy audit, data collection, and
14 other related analyses preliminary to the undertaking of energy
15 conservation measures; (ii) the evaluation and recommendation
16 of energy conservation measures; (iii) the implementation of
17 one or more energy conservation measures; and (iv) the
18 implementation of project monitoring and data collection to
19 verify post-installation energy consumption and energy-related
20 operating costs. The contract shall provide that all payments,
21 except obligations on termination of the contract before its
22 expiration, are to be made over time and that the savings are
23 guaranteed to the extent necessary to pay the costs of the
24 energy conservation measures.

25 "Qualified provider" means a person or business whose
26 employees are experienced and trained in the design,
27 implementation, or installation of energy conservation
28 measures. The minimum training required for any person or
29 employee under this paragraph shall be the satisfactory
30 completion of at least 40 hours of course instruction dealing
31 with energy conservation measures. A qualified provider to whom
32 the contract is awarded shall give a sufficient bond to the
33 unit of local government for its faithful performance.

34 "Request for proposals" means a negotiated procurement.

1 The request for proposals shall be announced through at least
2 one public notice, at least 10 days before the request date in
3 a newspaper published in the territory comprising the unit of
4 local government or, if no newspaper is published in that
5 territory, in a newspaper of general circulation in the area of
6 the unit of local government, from a unit of local government
7 that will administer the program, requesting innovative
8 solutions and proposals for energy conservation measures.
9 Proposals submitted shall be sealed. The request for proposals
10 shall include all of the following:

11 (1) The name and address of the unit of local
12 government.

13 (2) The name, address, title, and phone number of a
14 contact person.

15 (3) Notice indicating that the unit of local government
16 is requesting qualified providers to propose energy
17 conservation measures through a guaranteed energy savings
18 contract.

19 (4) The date, time, and place where proposals must be
20 received.

21 (5) The evaluation criteria for assessing the
22 proposals.

23 (6) Any other stipulations and clarifications the unit
24 of local government may require.

25 "Unit of local government" means a county, township, ~~or~~
26 municipality, or park district.

27 (Source: P.A. 88-173.)

28 Section 10. The Public University Energy Conservation Act
29 is amended by changing Sections 15 and 20 as follows:

30 (110 ILCS 62/15)

31 Sec. 15. Award of guaranteed energy savings contract.
32 Sealed proposals must be opened by the public university's

1 board of trustees or a designee of that board at a public
2 opening at which the contents of the proposals must be
3 announced. Each person or entity submitting a sealed proposal
4 must receive at least 10 days notice of the time and place of
5 the opening. The public university shall select the qualified
6 provider that best meets the needs of the district. The public
7 university shall provide public notice of the meeting at which
8 it proposes to award a guaranteed energy savings contract and
9 of the names of the parties to the proposed contract and the
10 purpose of the contract. The public notice shall be made at
11 least 10 days prior to the meeting. After evaluating the
12 proposals under Section 10, a public university may enter into
13 a guaranteed energy savings contract with a qualified provider
14 if it finds that the amount it would spend on the energy
15 conservation measures recommended in the proposal would not
16 exceed the amount to be saved in either energy or operational
17 costs, or both, within a 20-year ~~10-year~~ period from the date
18 of installation, if the recommendations in the proposal are
19 followed.

20 (Source: P.A. 90-486, eff. 8-17-97.)

21 (110 ILCS 62/20)

22 Sec. 20. Guarantee. The guaranteed energy savings contract
23 shall include a written guarantee of the qualified provider
24 that either the energy or operational cost savings, or both,
25 will meet or exceed within 20 ~~10~~ years the costs of the energy
26 conservation measures. The qualified provider shall reimburse
27 the public university for any shortfall of guaranteed energy
28 savings projected in the contract. A qualified provider shall
29 provide a sufficient bond to the public university for the
30 installation and the faithful performance of all the measures
31 included in the contract. The guaranteed energy savings
32 contract may provide for payments over a period of time, not to
33 exceed 20 ~~10~~ years from the date of final installation of the

1 measures.

2 (Source: P.A. 90-486, eff. 8-17-97.)

3 Section 20. The Public Community College Act is amended by
4 changing Sections 5A-35 and 5A-40 as follows:

5 (110 ILCS 805/5A-35)

6 Sec. 5A-35. Award of guaranteed energy savings contract.
7 Sealed proposals must be opened by a member or employee of the
8 community college board at a public opening at which the
9 contents of the proposals must be announced. Each person or
10 entity submitting a sealed proposal must receive at least 10
11 days notice of the time and place of the opening. The community
12 college district shall select the qualified provider that best
13 meets the needs of the district. The community college district
14 shall provide public notice of the meeting at which it proposes
15 to award a guaranteed energy savings contract of the names of
16 the parties to the proposed contract and of the purpose of the
17 contract. The public notice shall be made at least 10 days
18 prior to the meeting. After evaluating the proposals under
19 Section 5A-30, a community college district may enter into a
20 guaranteed energy savings contract with a qualified provider if
21 it finds that the amount it would spend on the energy
22 conservation measures recommended in the proposal would not
23 exceed the amount to be saved in either energy or operational
24 costs, or both, within a 20-year ~~10-year~~ period from the date
25 of installation, if the recommendations in the proposal are
26 followed.

27 (Source: P.A. 88-173.)

28 (110 ILCS 805/5A-40)

29 Sec. 5A-40. Guarantee. The guaranteed energy savings
30 contract shall include a written guarantee of the qualified
31 provider that either the energy or operational cost savings, or

1 both, will meet or exceed within 20 ~~10~~ years the costs of the
2 energy conservation measures. The qualified provider shall
3 reimburse the community college district for any shortfall of
4 guaranteed energy savings projected in the contract. A
5 qualified provider shall provide a sufficient bond to the
6 community college district for the installation and the
7 faithful performance of all the measures included in the
8 contract. The guaranteed energy savings contract may provide
9 for payments over a period of time, not to exceed 20 ~~10~~ years
10 from the date of final installation of the measures.

11 (Source: P.A. 88-173; 88-615, eff. 9-9-94.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law."